

Notice of Allowability

Application No.

10/660,804

Examiner

Huan H. Tran

Applicant(s)

FINGER ET AL.

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 04/29/05 and Interview on 05/12/05.
2. ☒ The allowed claim(s) is/are 1-36.
3. ☒ The drawings filed on 09/09/03 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 05/12/05.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Huan H. Tran
Primary Examiner
Art Unit: 2861

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ralph Skinkiss on 05/12/05 and on 05/18/05. See attached Interview Summary.

The application has been amended as follows:

In the claims:

Claim 1, line 1, changed the status identifier to "currently amended".

Claim 3, line 1, changed the status identifier to "currently amended".

Claim 4, line 1, changed the status identifier to "currently amended".

Claim 5, line 1, changed the status identifier to "currently amended".

Claim 6, line 1, changed the status identifier to "currently amended".

Claim 7, line 1, changed the status identifier to "currently amended".

Claim 8, line 1, changed the status identifier to "currently amended".

Claim 9, line 1, changed the status identifier to "currently amended".

Claim 10, line 1, changed the status identifier to "currently amended".

Claim 11, line 1, changed the status identifier to "currently amended".

Claim 12, line 1, changed the status identifier to "currently amended".

Claim 13, line 1, changed the status identifier to "currently amended".

Art Unit: 2861

Claim 14, line 1, changed the status identifier to “currently amended”.

Claim 15, line 1, changed the status identifier to “currently amended”.

Claim 16, line 1, changed the status identifier to “currently amended”.

Claim 17, line 1, changed the status identifier to “currently amended”.

Claim 18, line 1, changed the status identifier to “previously presented”.

Claim 19, line 1, changed the status identifier to “previously presented”.

Claim 20, line 1, changed the status identifier to “previously presented”.

Claim 21, line 1, changed the status identifier to “previously presented”.

Claim 22, line 1, changed the status identifier to “currently amended”.

Claim 23, line 1, changed the status identifier to “currently amended”.

Claim 24, line 1, changed the status identifier to “currently amended”.

Claim 25, line 1, changed the status identifier to “previously presented”.

Claim 26, line 1, changed the status identifier to “previously presented”.

Claim 27, line 1, changed the status identifier to “previously presented”.

Claim 28, line 1, changed the status identifier to “currently amended”.

Claim 29, line 1, changed the status identifier to “previously presented”.

Claim 30, line 1, changed the status identifier to “previously presented”.

Claim 31, line 1, changed the status identifier to “currently amended”.

Claim 32, line 1, changed the status identifier to “currently amended”.

Claim 33, line 1, changed the status identifier to “currently amended”.

Claim 34, line 1, changed the status identifier to “previously presented”.

Claim 35, line 1, changed the status identifier to “previously presented”.

Art Unit: 2861

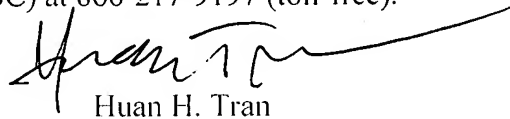
Claim 36, line 1, changed the status identifier to "previously presented".

Cancel claim 37.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huan H. Tran whose telephone number is (571) 272-2261. The examiner can normally be reached on at work on W-F from 6:30 to 5; T are telework days.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Talbott can be reached on (571) 272-1934. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Huan H. Tran
Primary Examiner
Art Unit 2861

hht

05/12/05

05/18/05